

Kentucky's Consolidated State Application Accountability Workbook

**for State Grants under Title IX, Part C, Section 9302 of the Elementary and
Secondary Education Act (Public Law 107-110)**

June 10, 2003



**Report from the Kentucky Department of Education
to
U. S. Department of Education
Office of Elementary and Secondary Education
Washington, D.C. 20202**

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(Codified as KRS 158.649)
- B: Commonwealth Accountability Testing System Spring 2000 Technical Manual (included on compact disk)
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Instructions for Completing Consolidated State Application Accountability Workbook

By January 31, 2003, States must complete and submit to the Department this Consolidated State Application Accountability Workbook. We understand that some of the critical elements for the key principles may still be under consideration and may not yet be final State policy by the January 31 due date. States that do not have final approval for some of these elements or that have not finalized a decision on these elements by January 31 should, when completing the Workbook, indicate the status of each element which is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

Transmittal Instructions

To expedite the receipt of this Consolidated State Application Accountability Workbook, please send your submission via the Internet as a .doc file, pdf file, rtf or .txt file or provide the URL for the site where your submission is posted on the Internet. Send electronic submissions to conapp@ed.gov.

A State that submits only a paper submission should mail the submission by express courier to:

Celia Sims
U.S. Department of Education
400 Maryland Ave., SW
Room 3W300
Washington, D.C. 20202-6400
(202) 401-0113

PART I: Summary of Required Elements for State Accountability Systems

Instructions

The following chart is an overview of States' implementation of the critical elements required for approval of their State accountability systems. States must provide detailed implementation information for each of these elements in Part II of this Consolidated State Application Accountability Workbook.

For each of the elements listed in the following chart, States should indicate the current implementation status in their State using the following legend:

- F:** State has a final policy, approved by all the required entities in the State (e.g., State Board of Education, State Legislature), for implementing this element in its accountability system.
- P:** State has a proposed policy for implementing this element in its accountability system, but must still receive approval by required entities in the State (e.g., State Board of Education, State Legislature).
- W:** State is still working on formulating a policy to implement this element in its accountability system.

Summary of Implementation Status for Required Elements of State Accountability Systems

Status	State Accountability System Element
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Principle 1: All Schools

P	1.1	Accountability system includes <i>all schools and districts in the state</i> .
P	1.2	Accountability system holds <i>all schools to the same criteria</i> .
F	1.3	Accountability system incorporates the <i>academic achievement standards</i> .
W	1.4	Accountability system provides <i>information in a timely manner</i> .
P	1.5	Accountability system includes <i>report cards</i> .
W	1.6	Accountability system includes <i>rewards and sanctions</i> .

Principle 2: All Students

W	2.1	The accountability system includes <i>all students</i>
W	2.2	The accountability system has a consistent definition of <i>full academic year</i> .
W	2.3	The accountability system properly includes <i>mobile students</i> .

Principle 3: Method of AYP Determinations

W	3.1	Accountability system expects <i>all student subgroups, public schools, and LEAs to reach proficiency by 2013-14</i> .
W	3.2	Accountability system has a method for determining whether <i>student subgroups, public schools, and LEAs made adequate yearly progress</i> .
W	3.2a	Accountability system establishes a <i>starting point</i> .
W	3.2b	Accountability system establishes <i>statewide annual measurable objectives</i> .
W	3.2c	Accountability system establishes <i>intermediate goals</i> .

Principle 4: Annual Decisions

W	4.1	The accountability system <i>determines annually the progress</i> of schools and districts.
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STATUS Legend:

F – Final state policy

P – Proposed policy, awaiting State approval

W – Working to formulate policy

Principle 5: Subgroup Accountability

F	5.1	The accountability system <i>includes all the required student subgroups</i> .
W	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
W	5.4	The accountability system includes <i>limited English proficient students</i> .
F	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.

Principle 6: Based on Academic Assessments

F	6.1	Accountability system is based <i>primarily on academic assessments</i> .
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Principle 7: Additional Indicators

P	7.1	Accountability system includes <i>graduation rate for high schools</i> .
W	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.

Principle 8: Separate Decisions for Reading/language arts and Mathematics

W	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts and mathematics</i> .
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Principle 9: System Validity and Reliability

W	9.1	Accountability system produces <i>reliable decisions</i> .
W	9.2	Accountability system produces <i>valid decisions</i> .
F	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .

Principle 10: Participation Rate

W	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
W	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

STATUS Legend:

F – Final policy / P – Proposed Policy, awaiting State approval / W– Working to formulate policy

PART II: State Response and Activities for Meeting State Accountability System Requirements

INSTRUCTIONS

In Part II of this Workbook, States are to provide detailed information for each of the critical elements required for State accountability systems. States should answer the questions asked about each of the critical elements in the State's accountability system. States that do not have final approval for any of these elements or that have not finalized a decision on these elements by January 31, 2003, should, when completing this section of the Workbook, indicate the status of each element that is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.1 How does the State Accountability System include every public school and LEA in the State?</p>	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System.</p> <p>State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> • The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2). 	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Many of the conflicting legal and policy issues identified between the more comprehensive Kentucky education reform and those of the Federal reform effort will be resolved by a proposed plan to implement a matrix approach (i.e., a two dimensional model – one dimension meeting federal requirements and one meeting state requirements) for determining Adequate Yearly Progress (AYP). The Federal dimension will be met by applying a strict interpretation of the language of “No Child Left Behind Act of 2001.” Federally defined 20th percentile starting points in reading and mathematics will be calculated separately at the elementary, middle, and high school levels, and applied in a conjunctive manner to each school and district as required by Federal statute. (Reference Figure 1)</p> <p>The following describes the state dimension referenced in Figure 1. Kentucky meets this requirement. Every Kentucky public school and LEA is required to make adequate yearly progress and is included in the state accountability system. Kentuckians have high expectations when it comes to the education of young people in public schools. We expect high-quality teaching, high academic standards and top-notch student performance. We want evidence that high-quality teaching and learning are taking place in every school.</p> <p>The goal for every school in the state is Proficiency as defined by the Kentucky Board of Education. The goal of Proficiency translates into a school accountability index value of 100. More specifically, the goal for the state is for each school to achieve an accountability index of at least 100 by 2014. In Kentucky's accountability system, intermediate targets that will eventually take a school to the goal of 100 are set starting in 2002. We generate assessment reports to schools annually and identify and provide assistance annually to schools and districts that fall below expected intermediate goals. Assistance includes a review process and targets specific support based on the results of these reviews.</p>		

The state accountability system produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12) and public schools that serve special populations (e.g., alternative public schools, juvenile institutions). Kentucky's A-1 schools (K-12 schools serving the general population) are held responsible for the performance of students they refer to A2-A6 schools (schools serving special populations). Data from the A2-A6 schools is tracked back to the "sending" schools. The system also holds accountable public schools with no grades assessed (e.g., K-2) through established feeder relationships. Every child is part of Kentucky's assessment and accountability system.

(For information about district accountability, reference 3.2.)

In 1989 the Kentucky Supreme Court deemed the entire system of public elementary and secondary education in Kentucky unconstitutional. The Court directed the Kentucky General Assembly to create and enact into law a new system of education that was both constitutional and based upon efficiency, adequacy and equity. The result was House Bill 940, the Kentucky Education Reform Act (KERA), which was enacted to provide an "adequate education for all students" as mandated by the courts. One of the most comprehensive statewide restructuring efforts ever attempted in the United States, KERA called for systemic change in finance, governance, curriculum and assessment and required the establishment of learning goals and identified procedures for defining and assessing every school's progress toward meeting the new goals.

On April 11, 1990, Governor Wallace Wilkinson signed House Bill 940, and the Kentucky Education Reform Act took effect on July 13 of that year. With KERA, the General Assembly established the framework for a major revision of Kentucky's education system. KERA required the establishment of learning goals, provided a procedure by which those goals would be defined and assessed, and created a series of rewards and assistance associated with the performance of schools on those assessments.

See Kentucky Supporting Document 1 for a history of the events and decisions that led to passage of the Kentucky Education Reform Act.

Through a two-year period of public input and review, Kentucky developed six broad learning goals that encompassed 75 specific academic expectations. The Kentucky Board of Education (KBE) approved these in December 1991. Concerns arose about the measurability of learner goals 3 and 4 (see Table 1-1). These concerns led to the reduction of the "assessed" academic expectations to 57 in number. These were presented to the Kentucky Board of Education in early May 1994. Since that time, they have been known as Kentucky's academic expectations. In 1992 the Kentucky Instructional Results Information System (KIRIS) was implemented to measure progress toward the learning goals, with a focus on the expectations reflected in the first two goals and the noncognitive aspects outlined in goals 3, 4 and 6.

Table 1-1
Kentucky Learning Goals

Goal 1: Students will be able to use basic communication and mathematics skills.

Goal 2: Students will be able to apply core concepts and principles.

Goal 3: Students will become self-sufficient.

Goal 4: Students will become responsible group members.

Goal 5: Students will be able to think and solve problems.

Goal 6: Students will connect and integrate knowledge.

Based on eight years of experience, the 1998 Kentucky General Assembly refined Kentucky's assessment and accountability system to produce a more valid and reliable assessment system. House Bill 53 provided the framework for the Commonwealth Accountability Testing System, or CATS. This legislation directed the Kentucky Board of Education to build on the earlier system to improve assessment and accountability in Kentucky's public schools.

Kentucky developed this new assessment and accountability through a broad and collaborative process involving educators and citizens. Kentucky designed CATS to accurately and reliably measure public school progress in educating students and to provide a way to inform parents, guardians and other Kentuckians about each public school's effectiveness from year to year. As was KIRIS, CATS has become a nationally recognized, successful assessment and accountability system with a proven track record.

The National Technical Advisory Panel for Assessment and Accountability (NTAPAA), a nationally respected group of six testing experts, has monitored both the design and implementation of this program to ensure reliable and valid decisions about school accountability. NTAPAA is an advisory committee constituted in statute. Current members are:

- Dr. James Catterall (NTAPAA Chairman), Professor, Graduate School of Education and Information Studies, UCLA
- Dr. Suzanne Lane, Professor of Educational Psychology, University of Pittsburgh
- Dr. Robert Linn, Professor, School of Education, University of Colorado at Boulder; President, American Educational Research Association
- Dr. David Miller, Chairman, Educational Psychology Department, University of Florida
- Dr. John Poggio, (NTAPAA Vice Chairman), Professor, Department of Educational Psychology Research, School of Education, University of Kansas
- Dr. Andy Porter, Professor and Academic Program Director, Wisconsin Center for Educational Research, University of Wisconsin Madison; Immediate Past President, American Educational Research Association

Thousands of educators and citizens participated in a broad and collaborative process to develop CATS. The new system, first administered in the spring of 1999, included changes that improved the reliability and validity of the test, reduced testing time and made the system fairer and easier to understand. Those changes include but are not limited to:

- Distributing the test components for the high school from primarily the junior year to across three grade levels;
- Reducing the contents of the required student writing portfolio in each accountability year;
- Limiting student answers on the open-response questions to the space provided on one 8.5 x 11 sheet of paper;
- Including multiple-choice questions on the Kentucky Core Content Tests and weighting them 33% of the score, and weighting the open response at 67% of the Kentucky Core Content Test component of CATS;
- Giving schools incremental credit for Novice and Apprentice growth in reading/language arts, mathematics, science and social studies;
- Reducing the testing window from 3 weeks to 2 weeks.

House Bill 53 shaped Kentucky's assessment and accountability system through several provisions that outline general features of a system of testing and school accountability, leaving many details of implementation to various committees that were enacted by the bill. For example, the School Curriculum, Assessment and Accountability Council (SCAAC) was created by House Bill 53 to study, review and make recommendations concerning Kentucky's system of setting academic standards, assessing learning, holding schools accountable for learning, and assisting schools to improve their performance. The council advises the Kentucky Board of Education (KBE) and the Legislative Research Commission (LRC) on issues related to the development and communication of the Academic Expectations and Core Content for Assessment, and the development and implementation of the statewide assessment and accountability program, including the distribution of rewards and imposition of sanctions. SCAAC is composed of 17 voting members appointed by the Governor. The membership represents parents, teachers, school district superintendents and assessment coordinators, school principals, business leaders and university professors. The appointments are made to assure broad geographical representation and representation of elementary, middle, and secondary school levels, as well as equal representation of the two sexes to the extent possible, and to assure that appointments reflect the minority racial composition of the state.

House Bill 53 also required the Legislative Research Commission to appoint the National Technical Advisory Panel on Assessment and Accountability (NTAPAA), which must be composed of no fewer than three professionals with a variety of expertise in education testing and measurement. The panel advises LRC, with approval of the director of the commission, the Kentucky Board of Education and the Department of Education.

See Attachment A for full text of regulations and relevant statute. See Kentucky Supporting Document 1 for an expanded history of Kentucky education reform.

Figure 1: Federal and State School/District Matrix Accountability Model

STATE DIMENSION	FEDERAL DIMENSION	
	Make AYP	Did not Make AYP
	Meet Goal NCLB: Rewards State: Rewards	State: Rewards NCLB: Sanctions
	<u>Meet Goal and did not meet Dropout or Novice Reduction</u> NCLB: Rewards State: Sanctions	NCLB: Sanctions State: Sanctions
	Progressing NCLB: Rewards State: Rewards	State: Rewards NCLB: Sanctions
	Progressing and did not meet Dropout or Novice Reduction or school declined NCLB: Rewards State: Sanctions	NCLB: Sanctions State: Sanctions
	Assistance Level 1 NCLB: Rewards State: Sanctions	NCLB: Sanctions State: Sanctions
	Assistance Level 2 NCLB: Rewards State: Sanctions	NCLB: Sanctions State: Sanctions
	Assistance Level 3 NCLB: Rewards State: Sanctions	NCLB: Sanctions State: Sanctions

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?	<p>All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination.</p> <p>If applicable, the AYP definition is integrated into the State Accountability System.</p>	Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Federal dimension will be met by applying a strict interpretation of the language of "No Child Left Behind Act of 2001." Federally defined 20th percentile starting points in reading and mathematics will be calculated separately at the elementary, middle, and high school levels, and applied in a conjunctive manner to each school and district as required by Federal statute. (Reference Figure 1)</p> <p>The state dimension meets this requirement. The General Assembly and the Kentucky Board of Education have created an assessment and accountability system that systematically judges all public schools and districts on the basis of the same criteria when making AYP determinations. Kentucky has set the same high goals for all students, schools and districts. Kentucky expects realistic and specific gains by all schools and student subpopulations.</p> <p>Kentucky expects each school to reach proficiency (100 on Kentucky's accountability index) by 2014. This expectation requires schools to make consistent growth from individual school baselines established in 2000 to the goal of 100 in 2014. Intermediate targets define how much progress a school must make to be on track toward meeting the goal. Schools that fail to meet those targets receive sanctions and appropriate interventions. Sanctions remain in place for two years. (Reference 703 KAR 5:020 and 4.1.)</p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.3 Does the State have, at a minimum, a definition of <i>basic</i> , <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?	<p>State has defined three levels of student achievement: <i>basic</i>, <i>proficient</i> and <i>advanced</i>.¹</p> <p>Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.</p>	Standards do not meet the legislated requirements.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Kentucky meets this standard by measuring the quality of student work against four performance levels. The levels, from lowest to highest, are Novice, Apprentice, Proficient and Distinguished (NAPD). These performance levels have been in place since 1992. The first two levels of performance in reading/language arts, mathematics, science and social studies are now subdivided into three levels (Novice non-performance, Novice medium, Novice high, Apprentice low, Apprentice medium and Apprentice high) to better represent student performance.</p> <p>Kentucky law states that all schools shall expect "a high level of achievement of all students." That high level, as defined through a standards-setting process designed by the respected testing experts of the National Technical Advisory Panel for Assessment and Accountability (NTAPAA) and overseen by the Kentucky Board of Education, is the Proficient level.</p> <p>Kentucky educators have two important resources for planning instruction and determining how well students master the materials. Kentucky's Student Performance Standards clearly define Novice, Apprentice, Proficient and Distinguished work at each grade level and content area included in the annual state assessments. Kentucky's Core Content for Assessment identifies content Kentuckians have determined essential for all students to know. (The Kentucky Core Content for Assessment and NAPD performance descriptions are available on the Kentucky Department of Education's Web site, www.kentuckyschools.org.)</p> <p>Kentucky's student performance standards were set through a highly inclusive process involving more than 1,600 teachers, review by approximately 3,000 citizens and a final review and approval by the Kentucky Board of Education. The entire standards-setting process (see CATS 2002 Interpretative Guide) was designed and overseen by NTAPAA and Kentucky's School Curriculum, Assessment and Accountability Council, a 17-member body of teachers, school administrators, business leaders, parents and other public education advocates.</p>		

¹ System of State achievement standards will be reviewed by the Standards and Assessments Peer Review. The Accountability Peer Review will determine that achievement levels are used in determining AYP.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

1. The Kentucky Department of Education is proposing that both the reading and mathematics multiple choice and open response items are considered in AYP determinations.
2. The Kentucky Department of Education is proposing to aggressively review with our assessment contractor all options available that would result in reporting the full reading and mathematics assessment results prior to the beginning of the next school year.
3. If it is determined that it simply is not possible to score and report the full reading and mathematics assessments prior to the next school year and apply that data to final AYP determinations, the Kentucky Department of Education will pursue options that would allow the reporting of preliminary AYP determinations based on the multiple-choice component of the Kentucky Core Content Test prior to the beginning of the next school year, and will publish final AYP determinations upon the completion of the scoring of the total reading and mathematics assessment.
4. If preliminary AYP decisions are necessary and would result in NCLB consequences at the school or district level, NCLB consequences will be applied to schools/districts and options or services selected by parents will continue to be supported through the end of the current school year even if final data indicates the school did make AYP and sanctions should not have been applied.
5. If preliminary AYP decisions indicate the school/district made AYP, but final data indicate the school/district did not then appropriate NCLB sanctions will be applied immediately.

The Kentucky Department of Education remains most concerned about the probable confusion that will result among the general public and the educational community when faced with both preliminary and final AYP determinations, which will most certainly differ in at least some schools and districts. Kentucky will take all possible steps that would minimize these differences.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.5 Does the State Accountability System produce an annual State Report Card?	<p>The State Report Card includes all the required data elements [see Appendix A for the list of required data elements].</p> <p>The State Report Card is available to the public at the beginning of the academic year.</p> <p>The State Report Card is accessible in languages of major populations in the State, to the extent possible.</p> <p>Assessment results and other academic indicators (including graduation rates) are reported by student subgroups</p>	<p>The State Report Card does not include all the required data elements.</p> <p>The State Report Card is not available to the public.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Kentucky is working to meet this standard. Kentucky already calculates and reports most of the required data elements in the Annual Kentucky Performance Report and is working to expand that report to include additional information required by NCLB.

The Annual Kentucky Performance Report now includes this information:

- Information in the aggregate, on student achievement at each performance level on the state academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged) is included.
- Information that provides a comparison between the actual achievement levels of each group of students and the State's annual measurable objectives for each such group of students on each of the academic assessments required.
- The percentage of students not tested (disaggregated by the same categories); by Kentucky regulation and practice this percentage approaches zero, since the alternate portfolio program extends accountability to nearly all students exempted from the regular assessment.
- The most recent two-year trend in student achievement in each subject area for each grade level.
- Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards.
- Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement.

To comply with NCLB, Kentucky will add data available from the following resources to produce a state report card that meets the federal requirements.

- Graduation rates for secondary school students. While Kentucky currently reports dropout rates in the Kentucky Performance Report, graduation rates as defined by the National Center of Educational Statistics (NCES) will also be provided.
- The professional qualifications of teachers in the state, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the state not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools (schools in the top quartile of poverty and the bottom quartile of poverty in the state). Data is collected identifying regularly certified teachers and teachers with emergency certification as well as teachers in and out of field. By law, the Kentucky Education Professional Standards Board (EPSB) is the state agency responsible for teacher professional standards, certification and licensing. The EPSB is collaborating with the Kentucky Department of Education and the Kentucky Board of Education on state activities under No Child Left Behind (NCLB) related to "highly qualified teachers." Kentucky will comply with the data requirements.

Kentucky's state report card will parallel the school and district report cards, which the Kentucky Department of Education issues annually and posts on its Web site. The current requirements for Kentucky's report card system are specified in Kentucky Administrative Regulation 703 KAR 5:140 and an incorporated document.

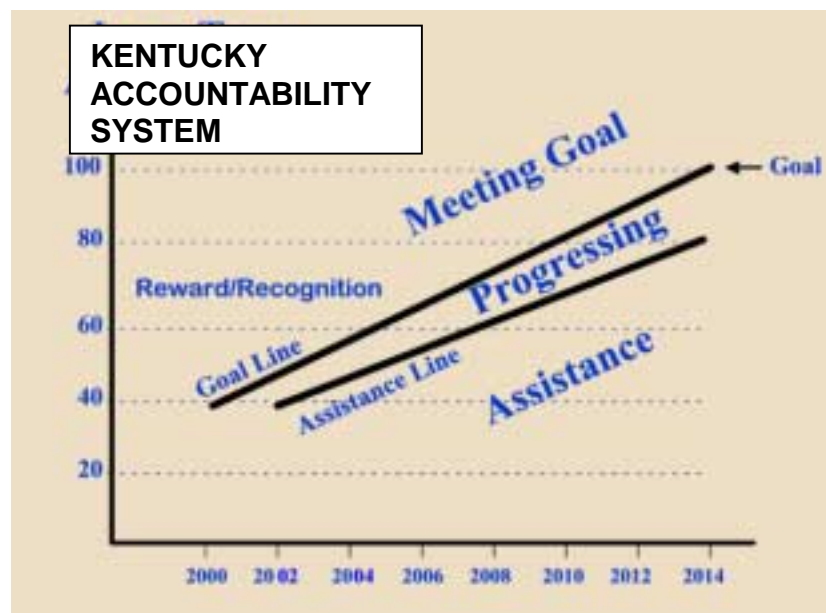
See Kentucky Supporting Document 7 for details plus sample school and district report cards.

School/district reports posted to the Kentucky Department of Education Website will indicate AYP status for each subpopulation meeting the minimum number of students requirement.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs? ²	State uses one or more types of rewards and sanctions, where the criteria are: <ul style="list-style-type: none"> • Set by the State; • Based on adequate yearly progress decisions; and, • Applied uniformly across public schools and LEAs. 	State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Figure 2: State Dimension - Rewards and Sanctions



Federal and state rewards and sanctions are integrated as illustrated in Figure 1. Figure 2 illustrates how rewards and sanctions are applied through the state dimension.

² The state must provide rewards and sanctions for all public schools and LEAs for making adequate yearly progress, except that the State is not required to hold schools and LEAs not receiving Title I funds to the requirements of section 1116 of NCLB [§200.12(b)(40)].

PRINCIPLE 2. All students are included in the State Accountability System.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.1 How does the State Accountability System include all students in the State?	<p>All students in the State are included in the State Accountability System.</p> <p>The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.</p>	Public school students exist in the State for whom the State Accountability System makes no provision.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

It appears that the U.S. Department of Education will not permit Kentucky to continue its policy of including almost all students in school building accountability AYP calculations in either the state or Federal dimensions. In particular, federal statute requires the assessment of transient students (those who have been in a school for less than an academic year), but prohibits the inclusion of these students in assessment data (percent at or above proficient) used in making AYP determinations. The Kentucky Department of Education will propose through its legislated review and advisory procedures the necessary changes in order to comply with the dictates of **“No Child Left Behind Act of 2001.”**

The Kentucky Department of Education proposes to apply the academic-year criterion to the decision as to which students are included in AYP calculations. This is being proposed to apply to all students.

Regarding transient students, the Kentucky Department of Education finds it most difficult to accept a federal request that does not hold a school accountable for a population at risk within our community. By prohibiting Kentucky from holding schools accountable for transient students when they are enrolled at the time of the testing window, the federal mandates are requiring transient students to be left behind. Accountability for student performance is most appropriately placed in the institution most directly involved in the instructional process and that is the school building. This federal request prohibits assigning direct accountability for delivering instructional services to the teachers and building administrators responsible for delivering these services to transient students. These are among the students at risk of failure. It is naïve for us to think that this transient population is proportionately distributed ethnically or economically. These transient students tend to be more frequently of certain ethnicities and are more frequently economically deprived. This federal dictate may seriously limit our ability to have sufficient data to even produce subpopulation statistics in certain transient communities.

Students with Disabilities and LEP students may participate in state assessments using accommodations routinely used in the normal delivery of instruction, or without accommodations. For LEP students, these accommodations must be included in an educational services plan approved by the principal. For Students with Disabilities, instructional accommodations must be documented in the Individual Educational Plan (IEP). These data are included in accountability index calculations. For that small group of Students with Disabilities whose disability is so severe that with all possible accommodations the student cannot participate in the *regular* curriculum (less than 1%), Kentucky has an Alternate Portfolio derived from an agreed upon subset of Kentucky's Academic Expectations, and the data generated is included in accountability calculations such that each participating student has the same impact on the accountability index calculation as do all other students.

The full text of this regulation and the document incorporated by reference is included in Attachment A. For related discussion, reference discussion of Academic Year, 2.2.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.2 How does the State define "full academic year" for identifying students in AYP decisions?	<p>The State has a definition of "full academic year" for determining which students are to be included in decisions about AYP.</p> <p>The definition of full academic year is consistent and applied statewide.</p>	<p>LEAs have varying definitions of "full academic year."</p> <p>The State's definition excludes students who must transfer from one district to another as they advance to the next grade.</p> <p>The definition of full academic year is not applied consistently.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Kentucky Department of Education will propose through its legislated procedures that an academic year be defined as the first day a school begins school in the fall until the first day of the testing window as set by the Kentucky Board of Education.</p> <p>A significant percentage of students in Kentucky K-12 schools move from school to school each year. There is data to show that failure to include students who have not attended the same school and/or LEA for a full academic year would exclude 50 to 70 percent of the students from the accountability process in some schools. (Even more would be excluded from some elementary schools.) Using data for only 50 percent of students would diminish the state's ability to make reliable school judgments and then follow up with rewards and assistance/sanctions based on the needs of each school.</p> <p>The Kentucky Department of Education would request that this not apply to the 2003 Spring assessment and that under the use of the Secretary of Education's "transitional authority" this be approved.</p> <p>The Kentucky Department of Education will begin to collect this on assessment answer documents administered in the Spring of 2004.</p>		

The following tables are intended to provide student stability *estimates* in Kentucky schools in SY 2001 and SY 2002: from grades 4 to 5 – elementary school; from grades 7 to 8 – middle school; and from grades 10 to 11 – high school. Within each school at the elementary level, the 2001 4th grade roster was matched against the 5th grade roster using demographic variables, including last name, first initial of first name, gender, birth date, etc. This estimates the stability within a *calendar* year – beginning of the SY 2001 testing window to the beginning of the SY 2002 testing window.

Table 1: Elementary School Population Estimates)S.Y. 2001 - S.Y. 2002)

Elementary School
Stability Estimates

Count of L_CODE			
TOT_PER2	TOT_PER	Total	% Total
31-40		3	0.40%
41-50		2	0.27%
51-60		10	1.33%
61-70		76	10.13%
71-80		251	33.47%
81-90		326	43.47%
91-100		82	10.93%
Grand Total		750	100.00%

Table 2: Middle School Population Estimates)S.Y. 2001 - S.Y. 2002)

High School
Stability Estimates

Count of L_CODE			
TOT_PER2	TOT_PER	Total	% Total
51-60		5	2.14%
61-70		27	11.54%
71-80		110	47.01%
81-90		83	35.47%
91-100		9	3.85%
Grand Total		234	100.00%

Table 3: High School Population Estimates)S.Y. 2001 - S.Y. 2002)

Middle School
Stability Estimates

Count of L_CODE			
TOT_PER2		Total	% Total
51-60		1	0.31%
61-70		17	5.21%
71-80		90	27.61%
81-90		170	52.15%
91-100		48	14.72%
Grand Total		326	100.00%

In 91 of 750 elementary schools included in this analysis, 4th to 5th grade stability was less than 70%. This included a variety of urban and rural schools. Only 82 were more than 90% stable.

In 18 of 326 middle schools included in this analysis, 7th to 8th grade stability was less than 70%. This too included a variety of urban and rural schools. Only 48 were more than 90% stable.

In 32 of 234 high schools included in this analysis, 10th to 11th grade stability was less than 70%. Again, this included a variety of urban and rural schools. Only 9 were more than 90% stable.

Table 4 provides a summary of the students excluded from Kentucky's accountability calculations attributed to Limited English Proficient status and medical conditions.

Table 4: Kentucky Exclusion Data -- 1999 to 2002

1999						2000					
Grade	LEP EXCLUDED	Percent	Medical EXCLUDED	Percent	Total	Grade	LEP EXCLUDED	Percent	Medical EXCLUDED	Percent	Total
4	114	0.23%	95	0.19%	49,101	4	163	0.33%	83	0.17%	49,931
5	121	0.26%	62	0.13%	46,931	5	148	0.30%	69	0.14%	48,654
7	85	0.18%	97	0.20%	48,457	7	107	0.22%	113	0.23%	48,523
8	98	0.20%	141	0.29%	49,415	8	116	0.24%	120	0.25%	47,943
10	33	0.07%	85	0.18%	46,184	10	84	0.19%	83	0.18%	44,877
11	49	0.12%	71	0.17%	41,087	11	75	0.18%	70	0.17%	40,980
12	61	0.16%	58	0.15%	39,075	12	59	0.15%	36	0.09%	38,806
Total	561		609		320,250	Total	752		574		319,714
%j Tot	0.18%		0.19%			%j Tot:	0.24%		0.18%		

2001						2002					
Grade	LEP EXCLUDED	Percent	Medical EXCLUDED	Percent	Total	Grade	LEP EXCLUDED	Percent	Medical EXCLUDED	Percent	Total
4	176	0.35%	117	0.23%	50,422	4	194	0.39%	96	0.19%	49,757
5	141	0.28%	92	0.18%	49,744	5	177	0.35%	114	0.23%	50,488
7	138	0.29%	105	0.22%	47,966	7	104	0.21%	146	0.29%	49,585
8	130	0.27%	122	0.25%	48,105	8	84	0.18%	139	0.29%	47,923
10	78	0.17%	103	0.22%	45,986	10	111	0.24%	75	0.16%	45,651
11	86	0.22%	81	0.20%	39,832	11	68	0.17%	87	0.21%	40,966
12	62	0.16%	36	0.09%	38,574	12	65	0.17%	42	0.11%	38,236
Total	811		656		320,629	Total	803		699		322,606
%j Tot	0.25%		0.20%			%j Tot:	0.25%		0.22%		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</p>	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Until Kentucky's student data system can be adequately developed to meet this need, a data collection form will be distributed to each District assessment coordinator on which they will be able to indicate which students were not enrolled in the same school or district for a full academic year.</p>		

PRINCIPLE 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?	The State has a timeline for ensuring that all students will meet or exceed the State's proficient level of academic achievement in reading/language arts ³ and mathematics, not later than 2013-2014.	State definition does not require all students to achieve proficiency by 2013-2014. State extends the timeline past the 2013-2014 academic year.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Kentucky Department of Education will propose through its legislated review procedures for purposes of addressing the Federal dimension, the use of the percent meeting or exceeding proficient standards in reading and mathematics in the Federally required conjunctive manner.</p> <p>Reference 1.1 and 1.6. Reference Attachment A for a detailed legal and regulatory description of the state dimension.</p>		

⁴ If the state has separate assessments to cover its language arts standards (e.g., reading and writing), the State must create a method to include scores from all the relevant assessments.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?</p>	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	<p>State uses different method for calculating how public schools and LEAs make AYP.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

For AYP determinations, any Kentucky school/district in which a subpopulation does not score at or above the annual measurable objective, the school as a whole, or the district will be considered to have failed in meeting AYP unless the "safe harbor" provisions apply. Subpopulations identified in Kentucky include: White, African-American, Hispanic, Asian, Other, Economically Deprived, LEP and Students with Disabilities. Each subpopulation must have 10 or more students in each grade tested and a total of at least 30 students tested in the school per year. Kentucky will apply a 99% confidence interval around each percent proficient in order to establish with appropriate confidence that the point in quest is statistically different than the measurable annual objective.

Kentucky will establish both regulatory and statutory authority to develop a district accountability system that parallels the school accountability system. This will permit school districts to clearly be accountable for NCLB-identified subpopulations of students and clarify the authority of local education agencies, as opposed to school-based decision making councils, in the governance of curriculum matters as they apply to the general population and particularly to subpopulations. This legislative change will be made prior to the dates set forth in NCLB for LEA interventions.

In the initial implementation of Kentucky's district accountability procedure, Kentucky will use the 2003-2004 school year data as if it were two consecutive years of data, and apply the resulting NCLB district consequences appropriate for not having met AYP for two consecutive years. These consequences will be applied to the 2004-2005 school year. In subsequent years, Kentucky will have two years of consecutive district data on which district consequences will be based. The Kentucky Department of Education will propose the appropriate regulation changes to accomplish this for the Kentucky Board of Education's consideration in August 2003 and will request emergency implementation be approved.

Schedule:

Fall 2003 – Subpopulation reports integrated into routine report generation.

August 2003– Adjust Kentucky regulation and/or policy to formally incorporate subpopulation performance into accountability calculations.

August 2003 – Revise 703 KAR 5:020 and 703 KAR 5:130 to establish district accountability model to parallel school model.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2a What is the State's starting point for calculating Adequate Yearly Progress?	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20th percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	The State Accountability System uses a different method for calculating the starting point (or baseline data).

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The Kentucky Department of Education will propose for consideration through the state legislated review procedure the use of the percent proficient and above in reading and mathematics separately as USDOE indicates is required by language in NCLB for purposes of making federal school and district AYP annual decisions. In reading and mathematics, Kentucky actually has established eight achievement standards ranging from nonperformance to distinguished. The Kentucky Board of Education will need to decide which of these should be considered proficient for purposes of making federal AYP annual determination as it considers the goals and objectives of both Kentucky's educational reform and those of NCLB.

A detailed description of the procedures for calculating starting points and measurable objectives applicable to the state dimension is included in Attachment A.

If the KBE approves the use of the current proficient cutpoints the starting points and annual measurable objectives that would result are summarized in **Table 5**.

The Kentucky Department of Education will recommend the use of the current proficient standard. Because Kentucky's standards were set to function with an integrated instructional environment, the Kentucky Board of Education will make a final decision defining which standard best meets Kentucky's educational needs.

Table 5: NCLB Starting Points - % at or Above Proficient and Measurable Annual Objectives

MEASURABLE ANNUAL OBJECTIVES							
STARTING POINT - 2002			ELEMENTARY		MIDDLE		HIGH
	READING	MATH	Year	Reading	Math	Reading	Math
Elem.Sch.	47.50	22.73	2003	47.50	22.73	45.60	16.51
Mdl.Sch.	45.60	16.51	2004	47.50	22.73	45.60	16.51
High Sch.	19.26	19.84	2005	52.75	30.46	51.04	24.86
			2006	58.00	38.18	56.48	33.21
			2007	63.25	45.91	61.92	41.56
			2008	68.50	53.64	67.36	49.91
			2009	73.75	61.37	72.80	58.26
			2010	79.00	69.09	78.24	66.60
			2011	84.25	76.82	83.68	74.95
			2012	89.50	84.55	89.12	83.30
			2013	94.75	92.27	94.56	91.65
			2014	100.00	100.00	100.00	100.00

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2b What are the State's annual measurable objectives for determining adequate yearly progress?	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Kentucky has established separate reading and mathematics intermediate goals or measurable annual objectives for elementary, middle, and high school grades that increase in equal increments over the 12-year timeline. There will be ten intermediate goals total. The first increase in intermediate goals will take place in the 2004-2005 school year and annually thereafter. (Reference **Table 5**)

The intermediate goals for elementary, middle, and high school reading and mathematics will be applied to each school building, as well as to each subgroup at the school building level to determine AYP status. When calculating the 2002-03 results statewide, for school districts, and for school buildings that span multiple levels, as well as for subgroups within them, the intermediate goal will be an average of the elementary, middle, and high school intermediate goals for reading and mathematics respectively.

Like other states, Kentucky has certain subpopulations scoring noticeably lower than the single goal line required by the **"No Child Left Behind Act of 2001."** The Kentucky accountability system also requires that each subpopulation reach proficient by 2014. However, Kentucky establishes intermediate goals based on the subpopulation current performance establishing a set of goals leading to a single point of proficient expected of all students. This and instructional implications of the Federal conjunctive approach to accountability as contrasted to Kentucky's integrated approach make the above schedule of Federal increases more appropriate to the Kentucky educational environment.

A detailed description applicable to the state dimension is included in Attachment A.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2c What are the State's intermediate goals for determining adequate yearly progress?	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> • The first incremental increase takes effect not later than the 2004-2005 academic year. • Each following incremental increase occurs within three years. 	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Reference 3.2b and Table 5

PRINCIPLE 4. State makes annual decisions about the achievement of all public schools and LEAs.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually. ⁴	AYP decisions for public schools and LEAs are not made annually.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Kentucky Department of Education will propose through the state legislated review procedure that annual AYP determinations be made and appropriate consequences applied to schools and districts consistent with the Federal requirements specified in the “No Child Left Behind Act of 2001.”</p> <p>A detailed description of how the state dimension addresses this need is included in Attachment A.</p> <p>District accountability is addressed in 3.2.</p>		

⁴ Decisions may be based upon several years of data and data may be averaged across grades within a public school [§1111(b)(2)(J)].

PRINCIPLE 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.1 How does the definition of adequate yearly progress include all the required student subgroups?	<p>Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency.</p> <p>Provides definition and data source of subgroups for adequate yearly progress.</p>	State does not disaggregate data by each required student subgroup.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Public schools and districts will be accountable for the performance of student subpopulations as required by the "No Child Left Behind Act of 2001" so long as the subgroup meets the minimum group size requirement specified in this document.</p> <p>Within the state dimension, Kentucky also addresses this requirement (Reference Attachment A). Kentucky requires, as stipulated in 703 KAR 5:070 and its incorporated document, the assessment of and accountability for all students, including those subpopulations sometimes omitted from accountability systems, e.g., transient students, students with disabilities, students with severe disabilities and limited English proficient students. Federal restrictions on the inclusion of certain transient students will restrict Kentucky's ability to hold schools accountable for students not enrolled in a school for a full academic year.</p> <p>Reference Senate Bill 168 (Attachment A)</p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?	Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.	State does not include student subgroups in its State Accountability System.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
(Reference 5.1)		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.3 How are students with disabilities included in the State's definition of adequate yearly progress?	<p>All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled.</p> <p>State demonstrates that students with disabilities are fully included in the State Accountability System.</p>	<p>The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.</p> <p>State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Kentucky meets this standard. All students in the state are included in the State Accountability System (see 2.1 above).

For students who qualify, Kentucky's assessment program offers accommodations in assessments. The accommodations must be stipulated in the student's Individual Education Plan (IEP) or 504 and must have been used with the student for instruction throughout the school year. For example, if a student's IEP allows a scribe during regular instruction, the student will be allowed to have a scribe for the statewide assessment. For details, reference 703 KAR 5:070 (Inclusion of All Students, Attachment A).

Students who cannot participate in the regular assessment, even with accommodations, are required to submit an alternate portfolio. Alternate portfolios are collections of work produced by students with severe disabilities (i.e., the less than 1 percent of the total student population for whom traditional assessments would be an inappropriate measure). Kentucky's alternate portfolio was designed and developed by teachers and parents of the target student population. It is derived from an agreed-upon set of Kentucky's academic expectations and is focused on communications and quantitative as well as other academic skills.

Alternate portfolios provide a valid and reliable means of assessing the instruction provided to these students. The rubric for assessing the work collected in the alternate portfolios is designed to reflect research-based, effective-practice instructional strategies. This assessment provides school accountability information that can be used to facilitate improvements in classroom instructional practices. Data from all student assessments, including alternate portfolios, are included in school accountability calculations. In this way, each student participating in assessment has the same impact on the school's accountability index.

Students who qualify for this form of assessment usually have profound cognitive disabilities, and the alternate portfolio is the only way they can participate in the assessment and accountability system. With few exceptions, all students in Kentucky must participate in the regular assessment or the alternate portfolio. Fewer than 1% of students qualify each year for exemption from testing (usually a medical exemption verified by a physician).

The disaggregation of this data and use of it in making AYP decisions will include only students eligible for services under IDEA.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?	<p>All LEP students participate in statewide assessments: general assessments with or without accommodations or a native language version of the general assessment based on grade level standards.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	LEP students are not fully included in the State Accountability System.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Kentucky Department of Education will propose through state legislated review procedures policies requiring the assessment of all Limited English Proficient students, and that those in a school or district for a full academic year be included in AYP calculations as will all other students.</p> <p>Kentucky has a policy to include students with limited English proficiency (LEP) in the state's definition of AYP. The provisions of the "No Child Left Behind Act of 2001" permit, where reasonable and feasible, the assessment of LEP students in their primary language for up to three years, and an additional two years on a case-by-case review.⁵ Current Kentucky policy permits the use of interpreters and scribes that may translate state-required assessments and student responses into English so long as this practice is consistent with the normal delivery of instruction and classroom assessment practices. These instructional and classroom assessment practices must be reviewed and approved by the principal.</p>		

⁵ This may be extended an additional two years if the data from the assessment of English proficiency indicates a continued need for language accommodations.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?	<p>State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.⁶</p> <p>Definition of subgroup will result in data that are statistically reliable.</p>	<p>State does not define the required number of students in a subgroup for reporting and accountability purposes.</p> <p>Definition is not applied consistently across the State.</p> <p>Definition does not result in data that are statistically reliable.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Kentucky has a policy that meets this standard. Kentucky requires each reported subpopulation to be based on at least 10 students at each grade/content area tested within a school or district. Taking into consideration the requirements of the Family Education Rights to Privacy Act (FERPA), this minimum n-count would permit the public disclosure of all data on which calculations are based (except when all students in a given subpopulation score at the same performance level). Kentucky policy and Senate Bill 168 are based on the assumption that the release of data on groups smaller than 10 might disclose the performance of an individual student. While not rigidly specified in statistical methodology, these minimums conform to generally accepted statistical standards. This criterion is reasonable considering FERPA requirements, the public's need to examine subpopulation performance, and research/statistical requirements. The Kentucky Board of Education is gravely concerned that if Kentucky raised the minimum n-count beyond that necessitated by FERPA and by statistical considerations, an unintended result would be the exclusion of specific subpopulations from the accountability system. Kentucky has high expectations for <i>all</i> students.</p> <p>With regard to accountability calculations, the National Technical Advisory Panel for Assessment and Accountability (NTAPAA, Reference 1.1) has recommended the adoption of a "10 per grade/30 overall for school rule." For example, a 4/5 school would have to have at least 30 students in a subpopulation for that subpopulation to be evaluated. A school with grades 3 through 6 would have to have 40 such students (10 per grade). This criterion would be used consistently across the state and would provide the minimum number of students required <i>per year</i> for statistically reliable data. NTAPAA advises the Kentucky Board of Education, the Kentucky Department of Education and the Kentucky General Assembly on technical issues related to the state's education assessment and accountability system.</p>		

⁶ The minimum number is not required to be the same for reporting and accountability.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information. ⁷	Definition reveals personally identifiable information.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Kentucky meets this standard. Kentucky has a policy to protect the privacy of individual students in reporting achievement results and determining AYP. Kentucky requires each subpopulation on which reporting or accountability calculations are to be based to include at least 10 students at each grade tested within a school or district. Taking into consideration requirements of the Family Education Rights to Privacy Act (FERPA), this minimum n-count would permit the public disclosure of all data on which calculations are based (except when all students in a given subpopulation score at the same performance level). Kentucky policy and SB168 are based on the assumption that the release of data on groups smaller than 10 might disclose the performance of an individual student. While not rigidly specified in statistical methodology, these minimums conform to generally accepted statistical standard and seem reasonable considering FERPA requirements, the public need to examine subpopulation performance, and research/statistical requirements.</p>		

⁷ The Family Education Rights and Privacy Act (FERPA) prohibits an LEA that receives Federal funds from releasing, without the prior written consent of a student's parents, any personally identifiable information contained in a student's education record.

PRINCIPLE 6. State definition of AYP is based primarily on the State's academic assessments.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?	<p>Formula for AYP shows that decisions are based primarily on assessments.⁸</p> <p>Plan clearly identifies which assessments are included in accountability.</p>	<p>Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Kentucky meets this standard by basing its definition of AYP on academic assessments. The state's accountability index is based primarily on academic assessments to determine progress. Once an academic index has been calculated for each content area test administered within a school, the school's accountability index for a particular year can then be determined. The weights used to calculate a school's accountability index vary slightly depending upon whether the school is an elementary, middle or high school.</p>		

⁸ State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

PRINCIPLE 7. STATE DEFINITION OF AYP INCLUDES GRADUATION RATES FOR PUBLIC HIGH SCHOOLS AND AN ADDITIONAL INDICATOR SELECTED BY THE STATE FOR PUBLIC MIDDLE AND PUBLIC ELEMENTARY SCHOOLS (SUCH AS ATTENDANCE RATES).

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.1 What is the State definition for the public high school graduation rate?</p>	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> • Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state's academic standards) in the standard number of years; or, • Uses another more accurate definition that has been approved by the Secretary; and • Must avoid counting a dropout as a transfer. <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause⁹ to make AYP.</p>	<p>State definition of public high school graduation rate does not meet these criteria.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

⁹ See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

In our graduation rate, KDE will only count as graduates, in the numerator of the rate, those students who receive a regular high school diploma within four years. This data clarification will be first applied to the 2003 graduating class. (2002 data has already been collected.) Currently, Kentucky does not count GEDs in the numerator of the rate. However, certificates of completion for Kentucky's most profoundly disabled students are counted because Kentucky values the performance of these students the same as regular diploma students. For these students not to count, and perhaps for these students to be left behind, KDE will have to modify its data collection procedures to parcel out the counts for these students. These new data collection procedures will be in place for the 2002-2003 school year. Once again, Kentucky will only include those students who have obtained a standard diploma. However, Kentucky is concerned about the lack of value this federal policy places on the program completion rate of students who have severe cognitive disabilities and the disincentives for placing dropout prevention resources toward this population.

The Kentucky Department of Education will put the National Center of Educational Statistics (NCES) defined graduation rate in its accountability calculations and will delete the dropout statistic from high school accountability calculations. In doing this, the department will work closely with the National Technical Advisory Panel for Assessment and Accountability (NTAPAA) and will propose regulation changes to the Kentucky Board of Education. Related policy matters include implications for the role of dropout statistics for middle school accountability.

Kentucky will apply the National Center for Educational Statistics "Common Core of Data" four-year-or-less completion rate that emulates a true cohort approach following students through four years of high school. For simplicity, the following expression shows the method of calculation using composite data at the state level. The four-year completion rate for 2002 for the state would be:

$$\text{Completion Rate} = \frac{2002 \text{ completers (standard diploma within 4 years)}}{2002 \text{ completers (includes standard diplomas plus certificates of completion)} + 2002 \text{ gr. 12 dropouts} + 2001 \text{ gr. 11 dropouts} + 2000 \text{ gr. 10 dropouts} + 1999 \text{ gr. 9 dropouts}}$$

If a school feels that the calculated graduation rate is in error or unjust, the school may appeal through an established appeals process (703 KAR 5:050).

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.¹⁰</p> <p>An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	State has not defined an additional academic indicator for elementary and middle schools.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Kentucky Accountability Model will be applied to each NCLB-identified subpopulation using a modified definition of Kentucky's Academic Index so as to include Norm-Referenced Test data from grades 3, 6, and 9. Kentucky's Academic Index is a statistic that differs from Kentucky's Accountability Index in that it does not include nonacademic variables: attendance and retention rates at the elementary level; attendance, retention, and dropout rates at the middle school level; and attendance, retention, dropout, and successful transition to adult life rates at the high school level. The academic index includes reading, mathematics, science, social studies, writing, arts and humanities and practical living/vocational studies. For purposes of determining AYP status, schools/districts will be required to show improvement on this indicator.</p>		

¹⁰ NCLB only lists these indicators as examples.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
7.3 Are the State's academic indicators valid and reliable?	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Kentucky meets the requirement for valid and reliable academic indicators. Kentucky's assessment and accountability system is nationally recognized as being both valid and reliable. The 1998 amendments to the Kentucky Education Reform Act (House Bill 53) were based on two complete reviews by national panels of technical experts and a wide range of public input including a task force appointed by the governor. The 1998 amendments provided for a variety of advisory processes including a panel of nationally recognized experts. These panels designed the 1998 revisions and the revisions went through a thorough public review procedure culminating in regulations governing the new system established by the Kentucky Board of Education. As established in statute and department policy, a series of technical reports and research/validity studies are ongoing and an institutionalized component of the Commonwealth Accountability Testing System (CATS). The National Technical Advisory Panel on Assessment and Accountability (NTAPAA), an advisory committee constituted in statute, is made up of nationally recognized testing experts (reference 1.1). Kentucky's academic content standards were established within the context of the nationally recognized content standards and have been nationally recognized in Education Week's "Quality Counts" report.

The Commonwealth Accountability Testing System Spring 2000 Technical Manual (available on CD and at www.kentuckyschools.org) provides extensive documentation of the reliability and validity of the state's academic indicators. This document was produced by CTB/McGraw-Hill and NTAPAA.

Reference "Kentucky Nonacademic Data" for more detailed documentation on collection procedures.

PRINCIPLE 8. AYP is based on reading/language arts and mathematics achievement objectives.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?	<p>State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.¹¹</p> <p>AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.</p>	<p>State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The Kentucky Department of Education will propose through its legislated public review process the following:</p> <ul style="list-style-type: none"> • The use of the percent proficient and above in reading and mathematics separately as USDOE indicates is required by language in NCLB for purposes of making federal school and district AYP annual decisions. In reading and mathematics, Kentucky actually has established eight achievement standards ranging from nonperformance to distinguished. The Kentucky Board of Education will need to decide which of these should be considered proficient for purposes of making federal AYP annual determination as it considers the goals and objectives of both Kentucky's educational reform and those of NCLB. • The separate mathematics and reading/language arts baselines be established using 2001-2002 data. Starting points in mathematics and reading/language arts will be the same for all schools and subgroups within a grade span. Similarly, the annual measurable objectives will be the same for each school, LEA and student subgroup. 		

¹¹ If the state has more than one assessment to cover its language arts standards, the State must create a method for including scores from all the relevant assessments.

PRINCIPLE 9. State Accountability System is statistically valid and reliable.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.1 How do AYP determinations meet the State's standard for acceptable reliability?</p>	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

Applying this standard to the Federal dimension is difficult because data collected under real operational conditions are not yet available. Simulations would imply that decision consistency will not be as satisfactory as that obtained on the state dimension.

Applying this requirement to the state dimension, Kentucky exceeds this standard. For example, a school classification (or decision consistency) study is performed by one of the Kentucky Department of Education's contractors each year. More specifically, at the end of every Commonwealth Accountability Testing System (CATS) accountability cycle, Kentucky's public schools are placed in one of three classifications (Meeting Goal, Progressing, Assistance) defined by each school's School Growth Chart and based on its end-of-cycle Kentucky Core Content Tests (KCCT), norm-referenced tests (NRT) and nonacademic indices. While this array of data provides a very stable base for making classification decisions, because no measurement system is perfect, it is important to specifically document this accuracy. The CATS school classification accuracy is important to educators, policy makers, (including the School Curriculum, Assessment and Accountability Council, or SCAAC), technical reviewers (including the National Technical Advisory Panel on Assessment and Accountability, or NTAPAA), and other special interest groups.

A school classification accuracy study was conducted in a series of analyses specifically developed for Kentucky by HumRRO and approved by NTAPAA that combines (1) Generalizability Theory analyses of KCCT and NRT data, (2) formulas for the additional variance estimates, and (3) a Bayesian approach to estimating the school classification accuracy. *The final product of this study was an estimate for each school of the probability that its "true" (but unknowable) classification is the same as the classification it actually obtained.* The original study for the end of the 2002 Accountability Cycle was based upon two years of data (i.e., 2001 and 2002 combined). The results are presented in the following table.

Kentucky can quantify the accuracy of its accountability system in detail.

School Classification Results Based Upon Two Years of Data

Expected True Category	Assigned Category Before Novice and Drop Criteria Applied		
	Meets Goal	Progressing	Assistance
Meets Goal	68.4%	1.7%	0.0%
Progressing	31.0%	84.6%	13.4%
Assistance	0.6%	13.7%	86.6%
Col. Total	100%	100%	100%
N	567	491	87

77% of schools are expected to be accurately classified given the baseline SEM adjustment.

One byproduct of the school classification study is the standard errors of measurement (SEM) produced in the generalizability part of the study. These are the same standard errors used to adjust the Goal Line and the Assistance Line in the Long-Term Accountability Model. Standard error values for three school levels (elementary, middle and high school), based upon and two years of data for various school sizes generally range from .5 for larger schools up to 3.0 for smaller sized schools.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Kentucky has a process for making valid AYP determinations. KRS 158.6455 requires the Kentucky Board of Education to promulgate administrative regulations to establish a process whereby a school shall be allowed to appeal a performance judgment considered to be grossly unfair. This administrative regulation establishes the procedures for an appeal of a performance judgment consistent with KRS 158.6455. These procedures include:</p> <ul style="list-style-type: none"> • Recognition of due process consistent with KRS Chapter 13B that stipulates the right to a hearing and use of an independent hearing officer. • Provision for schools with a 45-day window to review data and circumstances related to potential appeal. • Provision giving the Kentucky Board of Education the authority upon appeal to change a school's performance judgment if the Board deems evidence and circumstances warrant such change. 		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</p>	<p>State has a plan to maintain continuity in AYP decisions necessary for validity through planned assessment changes, and other changes necessary to comply fully with NCLB.¹²</p> <p>State has a plan for including new public schools in the State Accountability System.</p> <p>State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.</p>	<p>State's transition plan interrupts annual determination of AYP.</p> <p>State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

¹² Several events may occur which necessitate such a plan. For example, (1) the State may need to include additional assessments in grades 3-8 by 2005-2006; (2) the State may revise content and/or academic achievement standards; (3) the State may need to recalculate the starting point with the addition of new assessments; or (4) the State may need to incorporate the graduation rate or other indicators into its State Accountability System. These events may require new calculations of validity and reliability.

Kentucky meets this standard. When the Commonwealth Accountability Testing System was created in 1998, the General Assembly established a process for periodically reviewing and maintaining the system. The General Assembly charged the Kentucky Board of Education to take a leadership role in this process. The legislature left many details of implementation to various committees:

The National Technical Advisory Panel on Assessment and Accountability (NTAPAA, reference 1.1) monitors both the design and implementation of this program to ensure reliable and valid decisions about school accountability. NTAPAA reports regularly to the Kentucky General Assembly and the Kentucky Board of Education.

The School Curriculum, Assessment and Accountability Council (SCAAC, reference 1.1) reviews and makes recommendations concerning Kentucky's system of setting academic standards, assessing learning, holding schools accountable for learning, and assisting schools to improve their performance. The council advises the board and the state's Legislative Research Commission (LRC) on issues related to the development and implementation of the statewide assessment and accountability program, including the distribution of rewards and imposition of sanctions.

The Office of Education Accountability (OEA), a branch of the Governor's Office, has a "watchdog" role. OEA investigates, studies, monitors and evaluates all aspects of the public K-12, vocational-technical and higher education systems. OEA's broad responsibilities include (and go beyond) the accuracy of reports, equity in funding, allegations of wrongdoing, the validity of the state assessment program, and the effectiveness of the state's teacher certification program. OEA reports to the Kentucky Board of Education, LRC and the Education Assessment and Accountability Review Subcommittee of the Kentucky General Assembly.

The Education Assessment and Accountability Review Subcommittee (EAARS) is a subcommittee of the Kentucky General Assembly that hears scheduled reports from the Kentucky Board of Education, OEA and NTAPAA and reviews implementation of the state's assessment and accountability system.

The Kentucky Board of Education consulted with OEA, EAARS, SCAAC and NTAPAA concerning:

- Strategies to develop the additional reading/language arts and mathematics assessments needed to meet assessment requirements in grades 3 through 8;
- Strategies to extrapolate reading/language arts and mathematics performance cutpoints from the grades 4/5 and grades 7/8 empirical standards; and
- Strategies to incorporate new assessments into accountability procedures.

Kentucky is committed to maintaining effective partnerships with these groups and others to ensure the state's compliance with No Child Left Behind.

Full text of regulations and relevant statute are included in Attachment A.

PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Kentucky will require a list of students not tested along with necessary demographic data to be submitted at the beginning of the testing window. Kentucky will include all students in this calculation including those who would have been excluded for medical reasons.</p> <p>On the state dimension, Kentucky meets this standard. Each year, Kentucky has more than 99% participation in the statewide assessment program. Kentucky checks the roster of students assessed against the roster of students enrolled to calculate the rate of participation.</p> <p>Kentucky schedules a two-week testing window (expanded for 2003 to four weeks) that allows adequate time for make-up exams to be administered. Kentucky's participation rate is so high because schools must test <i>all</i> students enrolled in the school on the first day of the testing window, regardless of how long a student has attended the school. Students who are not tested and have not received an exemption from testing are assigned the lowest performance category (i.e., Novice Non-performance). Such students will be considered not tested in calculating the "95% participation rate." This serves as a disincentive to excluding students from participation in state assessments. The percent absent or untested, as well as total enrollment, can be calculated and reported by subgroup and the aggregate.</p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?	State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.	State does not have a procedure for making this determination.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Kentucky has a policy for determining when the 95% assessed requirement should be applied. Kentucky includes all students in the denominator of its AYP calculation and includes all students enrolled in school on the first day of the testing window. In essence, 100% of students and student subpopulations are included in testing.

With regard to accountability calculations, the state's National Technical Advisory Panel for Assessment and Accountability (NTAPAA) has recommended the adoption of a "minimum 10 per grade/30 overall for school rule" for attaining valid and reliable measures. For example, a 4/5 school would have to have at least 30 students to be evaluated. A 3 to 6 school would have to have 40 students (10 per grade). This criterion would be used consistently across the state and provides the minimum number of students required *per year* for statistically reliable data. This rule would serve as the basis for applying the 95% assessed rule.

Appendix A**Required Data Elements for State Report Card****1111(h)(1)(C)**

1. Information, in the aggregate, on student achievement at each proficiency level on the state academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student).
2. Information that provides a comparison between the actual achievement levels of each student subgroup and the State's annual measurable objectives for each such group of students on each of the academic assessments.
3. The percentage of students not tested (disaggregated by the student subgroups), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
4. The most recent two-year trend in student achievement in each subject area, and for each grade level, for the required assessments.
5. Aggregate information on any other indicators used by the state to determine the adequate yearly progress of students in achieving state academic achievement standards disaggregated by student subgroups.
6. Graduation rates for secondary school students disaggregated by student subgroups.
7. Information on the performance of local educational agencies in the state regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116.
8. The professional qualifications of teachers in the state, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the state not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools (which for this purpose means schools in the top quartile of poverty and the bottom quartile of poverty in the state).

Kentucky Supporting Documents

Kentucky Supporting Documents

- SD 1. Events Leading to the Kentucky Education Reform Act
- SD 3. Testing in Reading/language arts and Mathematics at Grades 3-8
- SD 4. Policy Issues in the Implementation of the Added Accountability Components
- SD 5. NAEP Participation Requirements and Implications
- SD 7. School/District/State Report Cards

Attachments

A: Kentucky Revised Statute & Kentucky Administrative Regulations

KRS 158.645 – KRS 158.6455

703 KAR 5:020 - Long-Term Accountability Model

703 KAR 5:040 - Definition and Accountability for A1-A6 Schools

703 KAR 5:050 – Appeals of Performance Judgments

703 KAR 5:070 – Inclusion of All Students

703 KAR 5:080 – Administration Code

703 KAR 5:120 – School Accountability and Scholastic Audits & Reviews

703 KAR 5:130 – District Accountability

703 KAR 5:140 – School & District Report Cards

SB 168 – Regular Session of the Kentucky General Assembly – 2002
(Codified under KRS 158.649)

B: Commonwealth Accountability Testing System Spring 2000 Technical Manual (included on compact disk)

C: Accuracy of School Classification

Kentucky Supporting Document (SD) 1**Events Leading to the Kentucky Education Reform Act**

- November 1985 – The Council for Better Education, a nonprofit corporation formed by 66 school districts, seven boards of education and 22 public school students, sued the state of Kentucky for not providing an efficient system of education.
- October 1988 – Franklin County Circuit Court Judge Ray Corns found for the plaintiffs.
- February 1989 – Governor Wallace Wilkinson issued an executive order creating a twelve-member Council on School Performance Standards and directed the council to determine what all students should know and be able to do and how learning should be assessed.
- June 1989 – The Kentucky Supreme Court directed the General Assembly to recreate and reestablish a “new, efficient system of common schools” that complied with the Kentucky Constitution. The Court defined an efficient system of common schools as an organization that provides a “free and adequate education to all students throughout the state regardless of geographical location or local fiscal resources.”
- September 1989 – The Council on School Performance Standards produced the report *Preparing Kentucky Youth for the Next Century: What Students Should Know and Be Able To Do and How Learning Should Be Assessed* and presented it to the Curriculum Committee of the Legislative Task Force charged with creating Kentucky’s new system. In the report, the Council recommended six broad learning goals for all students, with particular emphasis on what students should be able to do. The Council also recommended that the state launch a major effort to assess student performance beyond what can be measured by paper-and-pencil tests. The Council also recommended that the state initiate long-range development efforts that support implementation of the new learning goals.
- In 1990, the Council's recommendations were incorporated into House Bill 940, the Kentucky Education Reform Act, as a first step in redefining the school curriculum and providing what the courts required as an adequate education for all students.

SD 3**Testing in Reading/Language Arts and Mathematics at Grades 3-8:**

In summary, at a special meeting on May 23, 2002, the National Technical Advisory Panel on Assessment and Accountability (NTAPAA) considered five possible models for meeting the NCLB requirement for testing in reading/language arts and mathematics at grades 3-8. The panel continued this discussion at its regularly scheduled June and September meetings. The Kentucky Board of Education reviewed this issue at its regularly scheduled meetings in June, August and October of 2002. NTAPAA prefers the use of an Augmented Norm-Referenced Test (NRT) to supplement Kentucky's standards-based assessment, and the Kentucky Board of Education supports this approach.

Kentucky Core Content Test and Augmented NRT Model

- The augmented CTBS would be administered in reading/language arts at grades 3, 5, 6 and 8, and in mathematics in grades 3, 4, 6 and 7. The Kentucky Core Content Tests (KCCT) Reading/language arts Assessment would continue to be administered in grades 4 and 7, and the KCCT Mathematics Assessment in grades 5 and 8.
- The CTBS would be augmented with KCCT-like and grade-appropriate open-response items to assure appropriate coverage of both the Kentucky core content and student performance standards. Depending on the content alignment of the NRT to Kentucky's Core Content for Assessment, it may be necessary to augment the NRT with a small number of multiple-choice items to facilitate year-to-year equating designs. A contractor could score these open-response items, but strategies to involve Kentucky teachers in the scoring will be developed and implemented.
- Kentucky would review the core content for assessment standards to build grade-specific reading/language arts and mathematics assessments designed to more closely support the desired curriculum at each grade level. The *grade-specific* Program of Studies will provide the specific guidance in applying the grade 4 reading/language arts core content for assessment to grades 3 and 5; the grade 7 reading/language arts core content for assessment to grades 6 and 8; the grade 5 mathematics core content for assessment to grades 3 and 4; and the grade 8 mathematics core content for assessment to grades 6 and 7.
- Although the Kentucky Core Content for Assessment is intended to be generalized to the elementary and middle school levels as well as the high school level, it is derived from the Kentucky Program of Studies, which is grade-specific. The Kentucky Program of Studies will be used in conjunction with the Kentucky Core Content for Assessment to produce grades 3-8 grade-specific reading/language arts and mathematics content standards.
- KCCT student performance standards in reading/language arts (grades 4 and 7) and KCCT student performance standards in mathematics (grades 5 and 8) will be interpolated to be applied specifically to other grades.
- Once grades 3, 4, 6 and 7 reading/language arts Novice/Apprentice/Proficient/Distinguished (N/A/P/D) and grades 3, 5, 6, and 8 mathematics N/A/P/D cut-points have been established, teacher focus groups must establish instructional descriptions of each performance level at these grades using actual assessments that have been developed.

- Because the NRT is likely to be increasingly important in the future implementation of the NCLB adjustments, the NTAPAA Panel suggested that the Kentucky Department of Education consider using different forms of the NR, rotating as many as four different forms annually.

Implementation Plan – Kentucky Core Content Test and Augmented NRT

The following implementation plan complies with the “No Child Left Behind Act of 2001” requirements to assess reading/language arts and mathematics in grades 3-8 by school year 2005-2006 while continuing current assessments and expansions in such a way that instruction can be strengthened and all students can be provided the opportunity to reach proficiency. This plan (see Table 6) could be fully implemented by 2005-2006. Under ideal conditions, this enhanced program could be implemented in the spring of 2005, which would help meet Kentucky’s need for a longitudinal measure more quickly.

Table 6 ILLUSTRATION -- NCLB Compliant Assessment Model

TABLE 6: ILLUSTRATION - ASSESSMENT PROGRAM FULLY IMPLEMENTED BY 2005-2006											
Grade	Augmented NRT -	CTBS/5	Standards-Based - KCCT							Writing Portfolio	Alternate Portfolio
	Reading	Math	Reading	Math	Science	Social Studies	Writing	Arts & Humanities	Practical Living/Vocational Studies		
End of Primary (grade 3)	x	x									
4		x	x		x		x			x	x
5	x			x		x		x	x		
6	x	x									
7		x	x		x		x			x	
8	x			x		x		x	x		x
9	x*	x*									
10			x						x		
11				x	x	x		x			
12							x			x	x

* Augmentation not required

Because Kentucky began a school accountability process in 1990 with major revisions resulting from actions of the 1998 Kentucky General Assembly, and because the system has many of the same objectives as NCLB, the following timelines start with the 1998-1999 school year.

School Years 1998-1999 and 1999-2000:

- Revised the Kentucky Core Content for Assessment.
- Implemented the new Kentucky Core Content Test.
- Set baselines and biennial goals for all schools, including the content areas of reading/language arts and mathematics based on a biennial calculation.
- Included an NRT component in the school accountability process.

School Year 2000-2001:

- 5th Grade Reading/language arts – Administered second pilot of the reading/language arts component of the 4th grade Kentucky Core Content Test to address School Year 1999-2000 Pilot 1 logistical concerns.
- Established student performance standards appropriate to the new Kentucky Core Content Test.

School Year 2001-2002:

- 5th Grade Reading/language arts -- Expanded pilot of the reading/language arts component of the 4th grade Kentucky Core Content Test at the 5th grade to include a larger sample of students. (This program will be discontinued and replaced by the use of *augmented* CTBS/5 assessments.)

School Year 2002-2003:

- LEP Assessment -- Implemented requirements for administering English proficiency assessments to LEP students. (For detail, see SD 6: Assessing Students with Limited English Proficiency.)
- Reviewed content of KCCT item pool to determine usability of current items in NRT augmentation.
- Develop multiple-choice items needed for year-to-year equating and open-response items needed to sufficiently cover standards (content and performance standards).
- Develop additional Items beyond those normally needed for KCCT test development to augment NRT.

Interpolating Empirical Student Performance Standards to Grades 3-8 in Reading/language arts and Mathematics: Kentucky is committed to providing assessment data in grades 3 through 8 to give teachers and parents a better understanding of each student's performance within the context of state performance expectations.

For NCLB accountability purposes, it will be important to identify the percent of students scoring at or above the Proficient point. NCLB seems to permit the application of content standards across multiple grade levels but does imply that student performance standards must be specific to each grade level and content area (reading/language arts and mathematics - grades 3-8).

It would be physically and fiscally impractical to set student performance standards at each grade level and in each content area. However, this task might be as simple as establishing a grade/content-specific *NRT Augmented* scale similar to that applied to the KCCT and interpolating the Proficient cutpoints to be applied at grades where empirical standards have not been set. These scales would need to be equated year-to-year, as are the KCCT scales. This process would make calculations based on data from the first year that the NRT augmented assessments are available for administration.

The following table offers an example of how this might be applied to data from the Spring 2000 assessment. The calculations are based on actual KCCT data for grades 4 and 7 in reading/language arts and grades 5 and 8 in mathematics. The expected percentages at the other grades are interpolated estimates. If 44% of the students at the 4th grade scored below the Proficient performance level in reading/language arts and 48% scored below the Proficient point in 7th grade reading/language arts, one might expect that a cutpoint that identified 45.33% of the students on an NRT augmented scale at the 5th grade and 46.67% of the students at the 6th grade might place a student on track to perform at the Proficient point at the 7th grade.

READING SPRING 2000 DATA - Example of Interpolated Student Performance Standards							
	Grade 03 Cum.Perc. Scale Scr	Grade 04* Cum.Perc. Scale Scr	Grade 05 Cum.Perc. Scale Scr	Grade 06 Cum.Perc. Scale Scr	Grade 07* Cum.Perc. Scale Scr	Grade 08 Cum.Perc. Scale Scr	Grade 10* Cum.Perc. Scale Scr
RD NN	0.00	0 325	0.00	0.00	0 325	0.00	1 325
RD NM	1.00	1 326-450	1.00	1.00	1 326-425	1.00	5 326-410
RD NH	17.67	17 451-513	16.33	15.67	15 426-476	14.33	17 411-453
RD AL	28.33	28 514-522	27.67	27.33	27 477-487	26.67	37 454-481
RD AM	35.00	35 523-531	35.00	35.00	35 488-499	35.00	52 482-508
RD AH	42.67	44 532-540	45.33	46.67	48 500-510	49.33	71 509-436
RD P	97.00	96 541-600	95.00	94.00	93 511-580	92.00	92 537-583
RD D		101 601->			99 561->		99 584->
MATHEMATICS							
	Grade 03 Cum.Perc. Scale Scr	Grade 04 Cum.Perc. Scale Scr	Grade 05* Cum.Perc. Scale Scr	Grade 06 Cum.Perc. Scale Scr	Grade 07 Cum.Perc. Scale Scr	Grade 08* Cum.Perc. Scale Scr	Grade 11* Cum.Perc. Scale Scr
MA NN	1.00	1.00	1 325	1.00	1.00	1 325	3 325
MA NM	3.34	3.67	4 326-471	4.33	4.67	5 326-453	9 326-456
MA NH	41.66	40.33	39 472-545	37.67	36.33	35 454-517	42 457-522
MA AL	47.66	48.33	49 546-555	49.67	50.33	51 518-529	52 523-534
MA AM	58.00	59.00	60 556-564	61.00	62.00	63 530-542	63 535-545
MA AH	66.00	68.00	70 565-574	72.00	74.00	76 543-554	74 546-557
MA P	97.66	97.33	97 575-618	96.67	96.33	96 555-583	93 558-591
MA D			102 619->			102 584->	592->

* Empirical Standards

Figure 3 SAMPLE Interpolation of Grades 3-8 Standards

Content Alignment Analyses: Several content analyses of the current assessments are critical. The context for the content studies will be the Kentucky Core Content for Assessment and an additional dimension classifying items by cognitive complexity. These studies will be accomplished by assembling expert committees of teachers to judgmentally review and evaluate items on the CTBS/5. The purpose will not be to alter or change the content structure but to provide a context for understanding and using the relationships between the two assessments. While there would be no intent to modify the NRT content for purposes of producing CTBS/5 normative data, it would be necessary to augment the content of the NRT at grades where it is being used to meet the requirements of NCLB. It would also be necessary to place the additional items on the scale such that they can be used in reporting. Strategies to equate this augmented scale from year to year would need to be agreed upon.

School Year 2003-2004

- Develop needed items for augmentation of NRT.
- Field test NRT augmentation items.
- Design augmented NRT Form(s) – single/multiple forms.
- Consider scaling and equating issues related to the augmentation of the NRT.

School Year 2004-2005

- Continue item development and item field-testing.
- **First administration of augmented NRT Form(s).**

School Year 2005-2006

- Teacher focus groups establish instructional descriptors of Novice/Apprentice/Proficient/Distinguished performance levels in reading/language arts at grades 3, 5, 6 and 8, and in mathematics in grades 4, 5, 6 and 7.
- **Full Implementation of Assessment and Reporting Requirements of the “No Child Left Behind Act of 2001”**

SD 4**Policy Issues in the Implementation of Added Accountability Components****LONGITUDINAL COMPONENT POSSIBILITIES:**

- Determine the expected percent of Proficient/Distinguished students at grades 4-8 in reading/language arts and mathematics based on the performance of the same cohort of students in previous grades.
- If a school is in rewards (meets goal or progressing) based on the current model, add to the financial rewards if the school produces more than expected Proficient/Distinguished students.
- If a school is in rewards based on the current model, redirect some or all of the rewards to identified instructional needs if the school produces less than expected Proficient/Distinguished students.
- If a school is in an assistance category, adjust instructional interventions to meet identified needs.

SUBPOPULATION GAP REDUCTION POSSIBILITIES:

- Determine if school is at or above school/subpopulation-specific Assistance and/or Meets Goal points.
- If a school is in rewards (meets goal or progressing) based on the current model and meets or exceeds school/subpopulation Assistance/Meets Goal points, add to the financial rewards if the school meets gap-reduction objectives.
- If a school is in rewards based on the current model, redirect some or all of the rewards to identified instructional needs of a particular subpopulation if the school fails to meet or exceed school/subpopulation Assistance/Meets Goal points.
- If a school is in an assistance category, adjust instructional interventions to meet identified needs of specific subpopulation(s).

School Year 2002-2003 & School Year 2003-2004

- Review current district accountability model for consistency with NCLB accountability expectations.
- Develop alternatives to incorporate policies that adjust the distribution of rewards and appropriate targeted assistance based on:
 - Longitudinal data in reading/language arts and mathematics from grades 3 through 8;
 - Magnitude of gaps in performance in reading/language arts and mathematics from grades 3 through 8 and in grades 10 through 12 between –
 - Racial/ethnic groups (minority/majority subpopulation differences);
 - Limited English Proficient and Non-Limited English Proficient students;
 - Students with disabilities and students without disabilities (Students with disabilities may not include “504” students. Kentucky has traditionally included both groups of students eligible for services available under the Individuals with Disabilities Act and Section 504 ...); and
 - Students eligible for free and reduced lunch and those not eligible for such services.
- Analyze and evaluate data modeling alternatives related to the above policy options.
- Review data and implications of data on policy options with legally identified advisory processes and by the public at large.
- Select the options to be incorporated into Kentucky’s accountability model needed to become fully compliant with the requirements of “No Child Left Behind Act of 2001.”
- Present Kentucky Board of Education with policy options.

- Kentucky Board of Education review and approval.

SD 5**NAEP Participation Requirements and Implications**

Beginning with the 2002-2003 school year, local education agencies (LEAs) will have to participate in the administration of the state NAEP assessments of reading/language arts and mathematics if selected as part of the state sample. These are expected to be limited to grades 4 and 8 although there does seem to be authority to administer some state assessments at the 12th grade pending availability of funds. It is not specified that a state would have to participate in such 12th grade assessments.

“(2) the State will, beginning in school year 2002–2003, participate in biennial State academic assessments of 4th and 8th grade reading/language arts and mathematics under the National Assessment of Educational Progress carried out under section 411(b)(2) of the National Education Statistics Act of 1994 if the Secretary pays the costs of administering such assessments; ...

“(F) an assurance that the local educational agency will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading/language arts and mathematics carried out under section 411(b)(2) of the National Education Statistics Act of 1994; – **(NCLB 2001: Section 1111(c))**

“(F) an assurance that the local educational agency will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading/language arts and mathematics carried out under section 411(b)(2) of the National Education Statistics Act of 1994; – **(NCLB 2001: Section 1112(b)(1))**

“(d) PARTICIPATION.—

“(1) VOLUNTARY PARTICIPATION.—Participation in any assessment authorized under this section shall be voluntary for students, schools, and local educational agencies.

“(2) STUDENT PARTICIPATION.—Parents of children selected to participate in any assessment authorized under this section shall be informed before the administration of any authorized assessment, that their child may be excused from participation for any reason, is not required to finish any authorized assessment, and is not required to answer any test question.

“(3) STATE PARTICIPATION.—

“(A) VOLUNTARY.—Participation in assessments authorized under this section, other than reading/language arts and mathematics in grades 4 and 8, shall be voluntary.

“(B) AGREEMENT.—For reading/language arts and mathematics assessments in grades 4 and 8, the Secretary shall enter into an agreement with any State carrying out an assessment for the State under this section. Each such agreement shall contain provisions designed to ensure that the State will participate in the assessment. – **(NCLB 2001: Section 602 - AMENDMENT TO THE NATIONAL EDUCATION STATISTICS ACT OF 1994)**

The Kentucky Department of Education and the Kentucky Board of Education must consider policies related to requiring schools selected to participate in the NAEP sample. Current policies established by the National Assessment Governing Board (NAGB) require participation by at least 85% of the schools originally selected from a state. This requirement is intended to assure that state NAEP data are based on a state-representative sample of schools. Comparable schools must replace others that may not be able to participate. While it is clearly stated in federal statute that states will not be rewarded or punished based on state NAEP, NAEP data will be a component considered in the *validation* of the results of state assessments (both at a single point in time and changes over time). Both the educational community and the public at large will use NAEP in this way. It will be most important to understand the relationships between the NAEP curriculum frameworks and Kentucky's Core Content for Assessment. NAEP will become a more visible assessment component at the national and state levels. There are also sets of NAEP-released items and instructional support that might be applicable to Kentucky's efforts when this relationship is more fully understood.

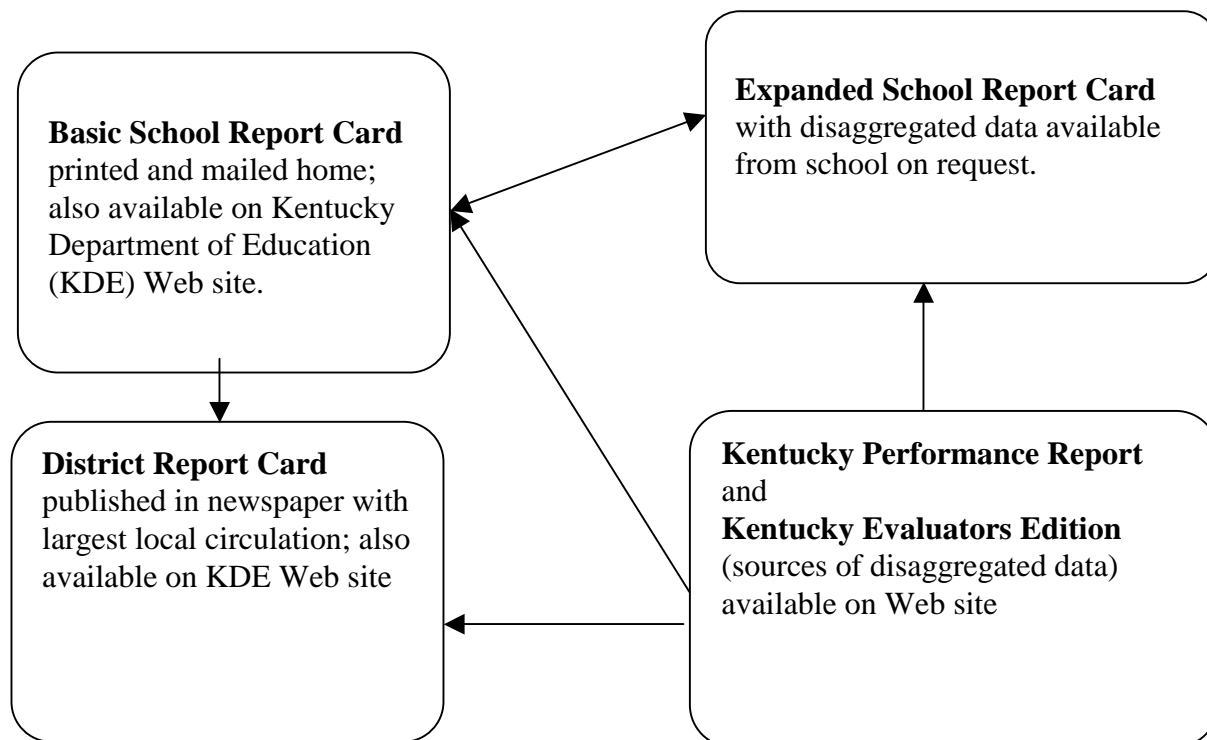
SD 7**School/District/State Report Cards**

Figure 4 Kentucky School/District Report Card and Related Data

A state report card paralleling the school and district report cards will be produced. Figure 16 diagrams the relationships among the major sources of publicly available data at the school/district/regional/state levels. The current requirements for Kentucky's report card system are specified in Kentucky Administrative Regulation 703 KAR 5:140 and an incorporated document.

The Basic School Report Card is a four-page document containing the essential data elements identified by parent groups and other focus groups. It is delivered to each parent in paper format in January. Parent focus groups were clear in their recommendation that this basic report card should be brief and to-the-point. The Basic Report Card's purpose is to provide an overview of the school and to encourage further interaction between parents and the school. Figure 16 emphasizes the interrelationship between the basic and expanded report cards and how both draw heavily from the assessment and Kentucky Department of Education financial reports, which are also public documents. The Kentucky Performance Report refers to a summary of school, district, regional and state data that is distributed to schools and districts 150 days after the beginning of each annual test administration and is typically available to the public two to three weeks later.

The Expanded School Report Card's purpose is to provide the detailed data or information (e.g., disaggregated student performance data) parents and community residents need to be effectively involved in the improvement of schools. The Expanded School Card must be available for parent or public review at the same time the Basic School Report Card is available.

The District Report Card aggregates data from the Basic School Report Card and draws information from publicly available assessment reports. This District Report Card must be published in the newspaper of largest circulation within the district in February.

Additional Report Card Items Required by "No Child Left Behind Act of 2001":

- *Information, in the aggregate, on student achievement at each proficiency level on the state academic assessments, disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged.* All information is available in the Kentucky Performance Report by mid-fall each year.
- *Information that provides a comparison between the actual achievement levels of each group of students and the state's annual measurable objectives for each such group of students on each of the academic assessments required.* This information is summarized on the Kentucky Performance Report.
- *The percentage of students not tested (disaggregated by the same categories).* By Kentucky regulation and practice, this percentage approaches zero, since the alternate portfolio program extends accountability to nearly all students exempted from regular assessment.
- *The most recent two-year trend in student achievement in each subject area for each grade level.* This information is available in the Kentucky Performance Report.
- *Aggregate information on any other indicators used by the state to determine the adequate yearly progress of students in achieving state academic achievement standards.* This information is available in the Kentucky Performance Report and on the Kentucky Department of Education Web site.
- *Graduation rates for secondary school students.* While Kentucky now reports dropout rates in the Kentucky Performance Report, graduation rates as defined by NCES will also be provided.
- *Information on the performance of local education agencies in the state regarding making adequate yearly progress, including the number and names of each school identified for school improvement.* This information is available in the Kentucky Performance Report and on the Kentucky Department of Education Web site.
- *The professional qualifications of teachers in the state, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the state not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which means schools in the top quartile of poverty and the bottom quartile of poverty in the state.* Kentucky collects data identifying regularly certified teachers and teachers with emergency certification as well as teachers in and out of field. Presuming that "highly qualified educators" will be limited to regularly certified staff in field, these numbers should be available from the Kentucky Education Professional Standards Board.

Using the data available from the resources mentioned above, the Kentucky Department of Education will provide an acceptable state report card meeting NCLB requirements. School/district reports posted to the Kentucky Department of Education Website will indicate AYP status for each subpopulation meeting the minimum number of students requirement.

Sample school and district report cards are provided in the attachments.

Attachment A and C are located on the Kentucky Department of Education's Website at <http://www.kentuckyschools.org>